REMARKS

Claims 1-10 are all the claims pending in the application. Claims 1-4, 9 and 10 have been withdrawn from consideration. Claim 5 has been amended to more clearly point out the claimed feature. No new matter has been introduced. Entry of the amendment and reconsideration are respectfully requested.

Foreign Priority Claim under 35 U.S.C. § 119

The Office Action acknowledges a claim for foreign priority under 35 U.S.C. § 119 and receipt of certified copies of the priority documents, in Office Action Summary. However, in the Detailed Action, at paragraph 3, it states the effective priority date for claims 5-8 is deemed the filing date of PCT/KR04/02888, i.e., November 9, 2004.

However, Applicants would like to draw the Office's attention that a claim for foreign priority from Korean patent application No. 10-2003-0079482 filed November 11, 2003 was made in this application. Applicants respectfully request the Office update the foreign priority claim information in the next Action.

Further, as suggested by the Office, Applicants have amended the first line of the specification to recite Applicant's claim for benefit of PCT/KR04/02888.

The Information Disclosure Statement

The Office Action the Information Disclosure Statement filed May 10, 2006 fails to comply with 37 C.F.R. § 1.98(a)(2), apparently because a legible copy of each listed non-patent literature publication was not provided.

Applicants submit that the non-patent literature publications listed in the IDS of May 10, 2006 were cited in the International Search Report dated January 28, 2005 and understand that a copy of all cited publications were provided from the ISA or IB to the Office. Nevertheless, in order to expedite the prosecution of the application, Applicants submit a copy of the non-patent publications.

The Specification

It was pointed out that the trademark used in this application (e.g. see page 16 lines 17, "NuPAGE") should be capitalized and be accompanied by the generic terminology. The specification has been amended to insert the registered mark symbol ® after the trademark, followed by the generic terminology.

Claim Objections

Claims 5-8 stand objected to on the ground that claims 5-8 refer to a non-elected claim 1. In this regard, Applicants have amended claim 5 by reciting the features of claim 1.

Claim Rejections - 35 U.S.C. § 101

Claims 5-8 stand rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 5-8 have been amended to recite "isolated neutralizing antibody." It is believed that the amendment renders the § 101 rejection moot, and Applicants respectfully request the rejection be withdrawn.

Claim Rejection - 35 U.S.C. § 112, First and Second Paragraphs

Claims 5-8 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out the distinctly claim the subject matter which applicant regards as the invention. In particular, the word "neutralizable" of the recitation "neutralizable epitope" was pointed out and the Office Action suggests to amend the claim to recite the particular characteristics intended.

Claims 5-8 stand further rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description and enablement requirements. In particular, the recitation "a neutralizable epitope of HGF having the amino acid sequence of SEQ ID NO: 32 or 33." For example, at page 6, paragraph 12 of the Detailed Actions, the Office Action states "the specification does not provide for sufficient written description to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of antibodies to any epitope having the amino acid sequence of SEQ ID NO:32 or 33, other than the antibodies that binds to the epitope of SEQ ID NO: 32 or 33." The Office Action also asserts, at page 7, third full paragraph, "the specification does not provide for sufficient enablement for antibodies reactive with genus of epitopes having the amino acid sequence of SEQ ID NO:32 or 33 other than those reactive with the epitope of SEQ ID NO: 32 or 33."

Claim 5 has been amended. Currently presented claim 5 reads "An isolated neutralizing antibody which specifically binds to an epitope of hepatocyte growth factor (HGF) to inhibit the HGF from binding to a receptor of the HGF, the epitope being a polypeptide of the amino acid sequence of SEQ ID NO: 32 or 33." Support for amendments may be found in the disclosure of

the specification, for example, at page 5, lines 11-24, page 7, lines 16-18, and Examples 7, 9 and 10.

Therefore, Applicant respectfully submit that the amendments to claim 5 render the rejections under 35 U.S.C. §112, first and second paragraphs moot and further request that the rejection be withdrawn.

Claim Rejections - 33 U.S.C. § 102

Claims 5-6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Cao *et al.* (PNAS, 2001, 98:7443-7448) ("Cao"). Applicants respectfully disagree.

Cao is relied upon to teach a neutralizing antibody binding to HGF containing the neutralizable epitope of SEQ ID NO:32 or 33, wherein the antibody is a monoclonal antibody (Introduction and Materials and Methods, page 7443, column 2, paragraphs 3 and 5). Based on the broadest reasonable interpretation of the original claims, the Office Action asserts that claims 5 and 6 are anticipated by Cao.

Applicants respectfully submit that Cao teaches that three or more of the epitopes, possibly two for the Met receptor and one for heparin, need to be blocked in order to inhibit HGF activity *in vivo* as well as *in vitro*. Cao, furthermore, discloses that a mixture of at least three (3) monoclonal antibodies is capable of neutralizing HGF in an *in vitro* experiment (see page 7447, col. 1, paragraph 2). In addition, Cao clearly teaches that no single HGF monoclonal antibody was capable of neutralizing the *in vitro* activity of HGF/SF (see Abstract, lines 10-11; and Result, line 9), which just indicating the possibility that a single monoclonal antibody with neutralizing activity may be discovered (see page 7447, col. 1, lines 13-15).

The Office Action asserts that the technical features of the subject application, i.e., a neutralizing antibody which can neutralize HFG as a single agent and inhibit HGF activity by binding to a neutralizable epitope, are not recited in (original) claim 1. Detailed Action, page 2, paragraph 1.

Currently presented claim 5 reads "An isolated neutralizing antibody which specifically binds to an epitope of hepatocyte growth factor (HGF) to inhibit the HGF from binding to a receptor of the HGF, the epitope being a polypeptide of the amino acid sequence of SEQ ID NO: 32 or 33." The language of the currently presented claim 5 clearly indicates that the claimed antibody, as a single agent, can bind an epitope to inhibit HGF activity.

Therefore, it is believed that the rejection under 35 U.S.C. § 102(b) is not sustainable and Applicants respectfully request that the rejection be withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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